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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,308	01/14/2002	Chin-Fu Cho	742433-0023	6295

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EXAMINER

GIBBS, HEATHER D

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/043,308	Applicant(s) CHO, CHIN-FU	
	Examiner Heather D. Gibbs	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Lawniczak (US 5,438,435).

For claim 1, Lawniczak discloses An image scanning apparatus having a processor, comprising: a paper tray for placing a document having a first side and a second side; a cross-shaped document passage having an overlap portion; a drive module for driving said document to pass through said cross-shaped document passage in response to a trigger; and a scan module for scanning said document passing through said cross-shaped document passage (Fig 2; Col 4 Lines 63-Col 5 Lines 23).

Regarding claim 2, Lawniczak teaches wherein said cross-shaped document passage is a α -shaped document passage (Fig 2).

Considering claim 3, Lawniczak discloses wherein said drive module comprises: a motor; a roller assembly, driven by said motor, for conveying said document to move along said cross-shaped document passage; a valve set for controlling said document to undergo scans of first side and said second side consecutively; and a sensor for

informing said processor to control said valve set in response to a position of said document (Col 5 Lines 4-23).

For claim 5, Lawniczak teaches a roller assembly that comprises: at least an active roller for producing a friction to convey said document; at least a passive roller for cooperating with said active roller to convey said document; an adjustment plate for aligning a leading edge of said document; a pick-up arm for fixing said active roller and said passive roller; and a cam set for coordinating a document feeding operation between said pick-up arm, said active roller and said passive roller (Col 5 Lines 10-29; 56-64; Fig 2; Fig 8).

Considering claim 4, Lawniczak discloses a scan module which comprises: a light source for providing a light to said document passing through said scan module to generate a first signal; an optical scanning device, including a lens and at least a reflector, for reflecting said first signal and focusing said first signal reflected to output a second signal; and a charge-coupled device (CCD) for receiving said second signal to generate an electric signal (Col 4 Lines 50-62; Col 5 Lines 3-9).

For claim 6, Lawniczak discloses wherein said document is selected to scan either in a simplex scanning mode or in a duplex scanning mode (Col 5 Lines 10-24).

Regarding claim 7, Lawniczak teaches a platform corresponding to said overlap portion of said cross-shaped document passage, said document is illuminated by said light to generate said first signal when said document passes through said platform (Col 4 Lines 66- Col 5 Line9; Col 7 Lines 33-45).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawniczak (US 5,438,435) in view of Lin (US 6,747,763).

Lawniczak discloses the image apparatus as discussed above.

Lawniczak does not disclose expressly a pressing member corresponding to said overlap portion of said cross-shaped document passage, said document is pressed evenly by said pressing member when said document passes through said platform and wherein said pressing member further comprised a spring and a flat plate.

Lin discloses a pressing member corresponding to said overlap portion of said cross-shaped document passage, said document is pressed evenly by said pressing member when said document passes through said platform and wherein said pressing member further comprised a spring and a flat plate (Col 2 Lines 19-34; Fig 5).

Lawniczak & Lin are combinable because they are from the same field of endeavor.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Lin with Lawniczak.

The suggestion/motivation for doing so would have been to press the incident member against the transparent window to sensitize the image sensor.

Therefore, it would have been obvious to combine Lin with Lawniczak to obtain the invention as specified in claims 8-10.

Priority

5. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D. Gibbs whose telephone number is 571-272-7404. The examiner can normally be reached on M-Thu 8AM-7PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Heather D Gibbs
Examiner
Art Unit 2622

hdg


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2622